REMARKS

This communication is a full and timely response to the aforementioned final Office Action dated December 11, 2009. By this communication, claims 23, 24, 28, 29, 30-33, 35, 36, 40-45, 47, 48, 52, 54-57, 59, 60, 63 and 66-68 are amended, and claims 53, 64 and 65 are cancelled. Claims 1-22, 25, 37 and 49 were previously cancelled. Claims 26, 27, 34, 38, 39, 46, 51, 59, 61, 62 and 69 are not amended and remain in the application. Therefore, claims 23, 24, 26-36, 38-48, 50-52, 54-63 and 66-69 are pending in the application. Claims 23, 35, 47 and 59 are independent.

Reconsideration of the application and withdrawal of the rejections of the claims are respectfully requested in view of the foregoing amendments and the following remarks.

I. Rejections Under 35 U.S.C. § 103

Claims 23, 24, 26, 27, 34-36, 38, 39, 46-48, 50, 51, 58-62 and 69 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Berman et al. (U.S. Patent No. 5,760,773, hereinafter "Berman") in view of IBM Research Disclosure 421100, "Visual Indication of System-Versus-Application 'Busy' Modality (hereinafter "IBM").

In addition, dependent claims 28-33, 40-46, 52-57 and 63-68 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Berman in view of IBM and further in view of Malamud et al. (U.S. Patent Application Publication No. 2003/0142123, hereinafter "Malamud").

Without acquiescing to these rejections, independent claims 23, 35, 47 and 59 have each been amended to recite further distinguishing features over the applied references. Applicant respectfully submits that the claimed invention is patentable over the applied references for at least the following reasons.

A. Exemplary Embodiment

An exemplary embodiment of the present disclosure provides a computer-readable recording medium (e.g., RAM 118, ROM 120, hard disk 122 illustrated in Fig. 1) having a computer program (e.g., operating system 132, cursor API 136, display manager 140 illustrated in Fig. 2) recorded thereon that causes a computer

(e.g., computer 100 illustrated in Fig. 1) to control a display device (e.g., display device 104 illustrated in Figs. 1 and 2) to display a user interface (e.g., user interface displayed on display 104 as illustrated in Fig. 2) and at least two different images of a cursor within the displayed user interface. For example, the program can cause the computer to display a first image of a cursor (e.g., cursor 200 illustrated in Fig. 3A) and a second image of a cursor (e.g., cursor(s) illustrated in Figs. 7A-7C) in the user interface on the display device 104.

With reference to Fig. 3A, for example, the first image of the cursor 200 comprises a pointer arrow and a tail. The program causes the computer to receive a control input (e.g. from cursor control device 102 illustrated in Fig. 1) containing an instruction to drag at least one object (e.g., icon 142 illustrated in Fig. 2) displayed in the user interface on the display device 104.

The program also causes the computer to control the display device 104 to display, upon receipt of the control input, switch the display of the first image of the cursor 200 (see Fig. 3A) to a display of a second image of the cursor (e.g., any one of the cursors illustrated in Figs. 7A-7C). The second image of the cursor (see Figs. 7A-7C) has a pointer arrow and a first variable graphic that replaces the tail comprised in the first image of the cursor 200.

The program also causes the computer to control the display device 104 to display, while the at least one object (e.g., icon 142) is being dragged, the first variable graphic in the user interface as an alphanumeric representation including a numerical value representing a characteristic of the at least one dragged object. For example, as illustrated in the examples of Figs. 7A and 7B, the first variable graphic of the second image of the cursor is displayed as an alphanumeric representation including a numerical value indicating the number of objects being dragged. In the example of Fig. 7C, the first variable graphic of the second image of the cursor is displayed as an alphanumeric representation including a numerical value indicating a cumulative data size of the number of objects being dragged. In the above-described examples, the tail of the first image of the cursor 200 is replaced with the first variable graphic of the second image of the cursor, to provide the user with meaningful feedback as to current operation being carried out. For example, in a drag operation, the first variable graphic of the second image of the cursor can

inform the user of the number of objects being dragged, to thereby allow the user to confirm that he or she has dragged the intended number of objects. Similarly, with respect to the example in which the first variable graphic of the second image of the cursor indicates the cumulative data size of the number of objects being dragged, the indicated data size can inform the user of any potential problematic issues relating to the dragging operation. For example, if the user is dragging a plurality of objects to a memory device of a fixed capacity (e.g., a CD-ROM with a data capacity of 780 megabytes), the user can be informed if all of the dragged objects can be dragged into a window and copied or moved onto the memory device.

B. Independent Claim 23

Independent claim 23 recites various features of the above-described exemplary embodiment. In particular, claim 23 recites a computer-readable recording medium having a computer program recorded thereon that causes a computer to control a display device to display a user interface and at least two different images of a cursor within the displayed user interface. Claim 23 recites that the computer program causes the computer to perform operations (1)-(4) below:

(1) displaying, in the user interface on the display device, a first image of the cursor, the first image of the cursor comprising a pointer arrow having a tail;

(2) receiving a control input containing an instruction to drag at least one object displayed in the user interface on the display device;

(3) controlling the display device to, upon receipt of the control input, switch the display of the first image of the cursor to a display of a second image of the cursor in the user interface, the second image of the cursor comprising a first hybrid cursor having a pointer arrow with a first variable graphic replacing the tail comprised in the first image; and

(4) controlling the display device to display, <u>while the at least one object is being dragged</u>, the first variable graphic in the user interface as an <u>alphanumeric representation including a numerical value representing a characteristic of the at least one dragged object</u>.

Berman discloses a technique of interacting with data objects using action handles (icons). With reference to Fig. 2, Berman discloses a configuration in which

data objects 42a, 42b and 42c are each text objects. A static action handle (icon) 40a, 40b, 40c is respectively displayed in proximity to the text objects 42a, 42b, 42c. The static icons of Berman do not have a pointer arrow (see Fig. 3), in contrast to the first image of the cursor, as recited in claim 1.

Berman discloses that dynamic icons 40a-40g are displayed for move/copy operations when the user desires to move/copy an application handle 40 to move/copy the associated data object 42 (see Fig. 4 and Column 15, lines 43-49). Berman discloses that during motion of an application handle 40, a different application handle 40 is illustrated than a static application handle 40 that is illustrated when the application handle 40 is not in motion (see Column 14, line 59 to Column 15, line 7). Figures 8A-8C of Berman illustrate a configuration in which a user performs a drag operation of moving the static action handle 40a to move a portion of the text 84 associated with the static action handle 40a. As illustrated in Figure 8A, the user points a stylus pen 12 (see Fig. 1) to select the text 84, and then uses the stylus pen 12 to drag the static action handle 40a. When the static action handle 40a is moved, the computer causes a dynamic action handle 40f to be generated to indicate that a move operation is being effected (see Column 19, lines 17-43). Then, when the user places the stylus pen 12 on the desired insertion point, a flashing icon 86 consisting of a vertical line is displayed at the insertion point. Then, a different dynamic action handle 40g is displayed when the text 84 is moved to the insertion point at which the flashing icon 86 is located (see Column 19, lines 44-62).

As acknowledged by the Office, Berman does not disclose or suggest the feature of displaying a second image of an icon having a first variable graphic in the user interface as an alphanumeric representation. The Office alleged that IBM discloses this feature. This assertion is not supportable and is contrary to the *actual* disclosure of IBM.

IBM discloses that two different types of hourglass icons can be displayed, depending on two different modalities. In a system modal (operating system modality), a first type of hourglass icon is displayed to indicate that he user cannot perform any operation while the operating system is in a busy state. On the other hand, in an application modal, a second type of hourglass icon is displayed to

indicate that the user cannot perform any action with respect to that specific application, while the application is in a busy state. The different hour glass icons are intended to illustrate to the user that in the case of the application modal, the user can perform an operation on another application other than the application that is in the busy state, whereas in the case where the operating system is busy, the user cannot perform any operation while the operating system is in the busy state.

Claim 23 has been amended to include features similar to previously presented claim 30. The Office acknowledged that Berman and IBM do not disclose or suggest the features of previously pending claim 30.

In an attempt to arrive at the features of claim 30, the Office applied Malamud. With reference to Fig. 2L2, Malamud discloses that when a cursor 40G obscures an object (file stack 42G), a separate information box 41G is displayed on the user interface to illustrate contents of the object 42G (see paragraph [0059]). The Office alleged that the information box 41G somehow corresponds to a second image of an icon comprising a first variable graphic, which includes a quantitative value that represents a characteristic of the at least one dragged object, as recited in previously presented claim 30. This assertion is not supportable.

The information box 41G displayed when the cursor 40G obscures the object 42G is not part of the cursor 40G. On the contrary, the information box 41G is formed as a separate illustration independent from the cursor 40G. At no point in Malamud is there any disclosure or suggestion of a part of an icon comprising an alphanumeric representation including a numerical value representing a characteristic of the at least one dragged object. The information box 41G is not part of the cursor 40G, nor any part of the object 42G. On the contrary, the information box 41G is displayed as a separate visual window in proximity to the object 42G. Furthermore, Malamud does not disclose or suggest that the information box 41G is displayed while the object 42G is being dragged. Instead, Malamud discloses that the information box 41G is displayed when the cursor 40G hovers over and obscures the object 42G.

Accordingly, similar to Berman and IBM, Malamud does not disclose or suggest feature (4) of claim 23. In particular, similar to Berman and IBM, Malamud does not disclose or suggest controlling the display device to display, while the at

least one object is being dragged, the first variable graphic in the user interface as an alphanumeric representation including a numerical value representing a characteristic of the at least one dragged object, as recited in claim 23.

Therefore, Applicant respectfully submits that claim 23 is patentable over Berman, IBM and Malamud, since Berman, IBM and Malamud, either individually or in combination, do not disclose or suggest all the recited features of claim 23.

C. Independent Claims 35, 47 and 59

Independent claims 35, 47 and 59 recite features similar to feature (4) of independent claim 23, which is not disclosed or suggested by any of Berman, IBM or Malamud. Therefore, Applicant respectfully submits that independent claims 35, 47 and 59 are also patentable over Berman, IBM and Malamud, since these references, either individually or in combination, do not disclose or suggest all the recited features of claims 35, 47 and 59.

D. Dependent Claims

Dependent claims 23, 24, 26-34, 36, 38-46, 48, 50-52, 54-58, 60-63 and 66-69 are patentable by virtue of depending from patentable claims 23, 35, 47 and 59. The dependent claims also recite further distinguishing features over the applied references. The foregoing explanation of the patentability of independent claims 23, 35, 47 and 59 is sufficiently clear such that it is believed to be unnecessary to separately demonstrate the additional patentable features of the dependent claims at this time. However, Applicant reserves the right to do should it become appropriate.

II. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, a favorable examination and consideration of the instant application are respectfully requested.

If, after reviewing this Amendment, the Examiner believes there are any issues remaining which must be resolved before the application can be passed to

issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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